



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 6

MISCELLANEOUS

80 False statements etc. with reference to civil partnerships

- (1) A person commits an offence if—
- (a) for the purpose of procuring the formation of a civil partnership, or a document mentioned in subsection (2), he—
 - (i) makes or signs a declaration required under this Part or Part 5, or
 - (ii) gives a notice or certificate so required,knowing that the declaration, notice or certificate is false,
 - (b) for the purpose of a record being made in any register relating to civil partnerships, he—
 - (i) makes a statement as to any information which is required to be registered under this Part or Part 5, or
 - (ii) causes such a statement to be made,knowing that the statement is false,
 - (c) he forbids the issue of a document mentioned in subsection (2)(a) or (b) by representing himself to be a person whose consent to a civil partnership between a child and another person is required under this Part or Part 5, knowing the representation to be false, or
 - (d) with respect to a declaration made under paragraph 5(1) of Schedule 1 he makes a statement mentioned in paragraph 6 of that Schedule which he knows to be false in a material particular.
- (2) The documents are—

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- (a) a civil partnership schedule or a Registrar General’s licence under Chapter 1;
 - (b) a document required by an Order in Council under section 210 or 211 as an authority for two people to register as civil partners of each other;
 - (c) a certificate of no impediment under section 240.
- (3) A person guilty of an offence under subsection (1) is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 7 years or to a fine (or both);
 - (b) on summary conviction, to a fine not exceeding the statutory maximum.
- (4) The Perjury Act 1911 (c. 6) has effect as if this section were contained in it.

81 Housing and tenancies

Schedule 8 amends certain enactments relating to housing and tenancies.

82 Family homes and domestic violence

Schedule 9 amends Part 4 of the Family Law Act 1996 (c. 27) and related enactments so that they apply in relation to civil partnerships as they apply in relation to marriages.

83 Fatal accidents claims

- (1) Amend the Fatal Accidents Act 1976 (c. 30) as follows.
- (2) In section 1(3) (meaning of “dependant” for purposes of right of action for wrongful act causing death), after paragraph (a) insert—
- “(aa) the civil partner or former civil partner of the deceased;”.
- (3) In paragraph (b)(iii) of section 1(3), after “wife” insert “ or civil partner ”.
- (4) After paragraph (f) of section 1(3) insert—
- “(fa) any person (not being a child of the deceased) who, in the case of any civil partnership in which the deceased was at any time a civil partner, was treated by the deceased as a child of the family in relation to that civil partnership;”.
- (5) After section 1(4) insert—
- “(4A) The reference to the former civil partner of the deceased in subsection (3) (aa) above includes a reference to a person whose civil partnership with the deceased has been annulled as well as a person whose civil partnership with the deceased has been dissolved.”
- (6) In section 1(5)(a), for “by affinity” substitute “ by marriage or civil partnership ”.
- (7) In section 1A(2) (persons for whose benefit claim for bereavement damages may be made)—
- (a) in paragraph (a), after “wife or husband” insert “ or civil partner ”, and
 - (b) in paragraph (b), after “was never married” insert “ or a civil partner ”.
- (8) In section 3 (assessment of damages), in subsection (4), after “wife” insert “ or civil partner ”.

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84 Evidence

- (1) Any enactment or rule of law relating to the giving of evidence by a spouse applies in relation to a civil partner as it applies in relation to the spouse.
- (2) Subsection (1) is subject to any specific amendment made by or under this Act which relates to the giving of evidence by a civil partner.
- (3) For the avoidance of doubt, in any such amendment, references to a person's civil partner do not include a former civil partner.
- (4) References in subsections (1) and (2) to giving evidence are to giving evidence in any way (whether by supplying information, making discovery, producing documents or otherwise).
- (5) Any rule of law—
 - (a) which is preserved by section 7(3) of the Civil Evidence Act 1995 (c. 38) or section 118(1) of the Criminal Justice Act 2003 (c. 44), and
 - (b) under which in any proceedings evidence of reputation or family tradition is admissible for the purpose of proving or disproving the existence of a marriage,is to be treated as applying in an equivalent way for the purpose of proving or disproving the existence of a civil partnership.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act power to amend conferred by 2019 c. 12 s. 2(1)
- Act power to apply (with modifications) conferred by 2014 asp 5 s. 30(5)(b)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3)(b) and word inserted by 2013 c. 30 Sch. 7 para. 34(b)
- s. 1(3A) inserted by 2014 asp 5 s. 11(9)
- s. 8(4)(c) inserted by 2014 c. 22 Sch. 4 para. 19(2)
- s. 8(5A) inserted by 2014 c. 22 Sch. 4 para. 19(3)
- s. 8A inserted by 2014 c. 22 Sch. 4 para. 20
- s. 9-9F substituted for s. 9 by 2014 c. 22 Sch. 4 para. 21
- s. 12(4)-(8) inserted by 2014 c. 22 Sch. 4 para. 23(3)
- s. 12A inserted by 2014 c. 22 Sch. 4 para. 24
- s. 14(6) inserted by 2014 c. 22 Sch. 4 para. 26(1)
- s. 14A inserted by 2014 c. 22 Sch. 4 para. 26(2)
- s. 15(3) inserted by 2014 c. 22 Sch. 4 para. 26(3)(b)
- s. 16(3A) inserted by 2014 c. 22 Sch. 4 para. 26(4)(b)
- s. 30A inserted by 2014 c. 22 Sch. 4 para. 27
- s. 30A(b) words omitted by S.I. 2019/745 reg. 15 (Exit day)
- s. 31(2)(ab) repealed by 2012 c. 9 s. 114(4) Sch. 10 Pt. 11
- s. 34(1A)-(1C) inserted by 2016 c. 19 Sch. 15 para. 4(3)
- s. 36(2)(g) inserted by 2015 c. 20 s. 99(2)
- s. 45(5)(a) words substituted by 2013 c. 22 Sch. 11 para. 163
- s. 52(1)(ab) inserted by 2014 c. 22 Sch. 4 para. 29(b)
- s. 86(3A) inserted by 2014 asp 5 s. 24(3)(c)
- s. 88(4A) inserted by S.S.I. 2018/374 reg. 3(3)
- s. 88(7) inserted by 2014 asp 5 s. 24(5)
- s. 88(8)-(10) inserted by 2014 asp 5 s. 25
- s. 88A-88F inserted by S.I. 2015/396 Sch. 3 para. 2
- s. 88A(9) applied by S.I. 2015/404 reg. 17(4)(b)
- s. 89(3) inserted by 2014 asp 5 s. 24(6)
- s. 89(4) inserted by S.I. 2015/396 Sch. 3 para. 4
- s. 91(1) s. 91 renumbered as s. 91(1) by 2014 asp 5 s. 24(8)(a)
- s. 91(1) words inserted by 2014 asp 5 s. 24(8)(b)(iii)
- s. 91(1) words substituted by 2014 asp 5 s. 24(8)(b)(i)
- s. 91(1) words substituted by 2014 asp 5 s. 24(8)(b)(ii)
- s. 91(1A)(1B) inserted by S.I. 2015/396 Sch. 3 para. 5(2)
- s. 91(2) inserted by 2014 asp 5 s. 24(8)(c)
- s. 92(4)(b)(iii) and word repealed by 2014 asp 5 s. 24(9)(b)(ii)
- s. 93(1A) inserted by 2014 asp 5 s. 24(10)(b)
- s. 93A inserted by 2014 asp 5 s. 24(11)
- s. 94(1) s. 94 renumbered as s. 94(1) by 2014 asp 5 s. 24(12)(a)
- s. 94(1)(b) words substituted by 2014 asp 5 s. 24(12)(b)(i)
- s. 94(1)(b) words substituted by 2014 asp 5 s. 24(12)(b)(ii)
- s. 94(2)(3) inserted by 2014 asp 5 s. 24(12)(c)
- s. 94A-94E inserted by 2014 asp 5 s. 24(13)
- s. 94A inserted by S.I. 2015/396 Sch. 3 para. 6
- s. 95(1A) inserted by 2014 asp 5 s. 24(14)(b)
- s. 95(3A)-(3C) inserted by 2014 asp 5 s. 24(14)(d)
- s. 95ZA inserted by 2014 asp 5 s. 24(15)
- s. 97(5A) inserted by 2014 asp 5 s. 24(18)(b)

- s. 100(3A)(3B) inserted by 2014 asp 5 s. 24(19)(b)
- s. 139A-139E inserted by S.I. 2015/395 Sch. 3 para. 2
- s. 139A(9) applied by S.I. 2015/404 reg. 18(4)(b)
- s. 140(2A)(2B) inserted by S.I. 2015/395 Sch. 3 para. 4
- s. 143A inserted by S.I. 2015/395 Sch. 3 para. 5
- s. 176(c) inserted by S.I. 2015/395 Sch. 3 para. 7
- s. 210(6) inserted by S.I. 2012/3100 art. 2(4)
- s. 210(6) words inserted by 2013 c. 30 Sch. 7 para. 36
- s. 212(1A) inserted by S.I. 2014/560 Sch. 1 para. 29(2)
- s. 213(1A) inserted by 2013 c. 30 Sch. 2 para. 5(2)
- s. 214(ba) inserted by 2014 asp 5 s. 26(2)(a)
- s. 222(a)(b) omitted by 2013 c. 13 Sch. 2 para. 3(3)
- s. 222(ba) inserted by 2013 c. 13 Sch. 2 para. 3(4)
- Sch. 2 para. 2A inserted by 2014 c. 6 Sch. 2 para. 66(4)
- Sch. 2 para. 5(11) words inserted by S.I. 2014/560 Sch. 1 para. 29(3)
- Sch. 3A inserted by 2014 c. 22 Sch. 4 para. 25
- Sch. 5 para. 38(1) Sch. 5 para. 38 renumbered as Sch. 5 para. 38(1) by 2012 c. 10 s. 52(4)(a)
- Sch. 5 para. 38(2)(3) inserted by 2012 c. 10 s. 52(4)(b)
- Sch. 5 para. 38A and cross-heading inserted by 2012 c. 10 s. 52(5)
- Sch. 5 para. 38B inserted by 2012 c. 10 s. 53
- Sch. 5 para. 10(1)(a)(iii) inserted by 2012 c. 10 s. 54(3)
- Sch. 5 para. 60(6)(7) substituted for Sch. 5 para. 60(6) by 2014 c. 16 Sch. 3 para. 5
- Sch. 5 para. 65(10)(aa) substituted for Sch. 5 para. 65(10)(b)(c) by 2013 c. 22 Sch. 11 para. 172(5)
- Sch. 6 para. 46(b)(c) omitted by 2013 c. 22 Sch. 11 para. 198(b)
- Sch. 10A inserted by S.I. 2015/396 Sch. 3 para. 3
- Sch. 13A inserted by S.I. 2015/395 Sch. 3 para. 3
- Sch. 23 para. A1 inserted by 2014 c. 22 s. 58(5)
- Sch. 23 para. 1(1A)(1B) substituted for Sch. 23 para. 1(1) by 2014 c. 22 s. 58(6)
- Sch. 23 para. A1(4) word substituted by S.I. 2015/395 Sch. 3 para. 8(a)

Commencement Orders yet to be applied to the Civil Partnership Act 2004

Commencement Orders bringing legislation that affects this Act into force:

- S.R. 2012/406 art. 2 commences (2011 c. 20 (N.I.))
- S.R. 2012/440 art. 23 commences (2008 c. 10 (N.I.))
- S.R. 2013/201 art. 2 commences (2008 c. 10 (N.I.))
- S.R. 2013/276 art. 2 commences (2008 c. 10 (N.I.))
- S.R. 2015/193 art. 2 commences (2014 c. 11 (N.I.))
- S.R. 2016/387 art. 2 commences (2015 c. 9 (N.I.))
- S.R. 2018/66 art. 2(1) commences (S.I. 2016/999 (N.I.))